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attorney, Barbara D. Underwood, Attorney General of the State of New York, and (c) the relator David Heisler ("Relator") (together with the United States and the State of New York, the "Plaintiffs").

RECITALS

WHEREAS, the United States filed a Stipulation and Order of Settlement, which this Court so-ordered on March 27, 2018 (the "United States Stipulation");

WHEREAS, the State of New York filed a separate Stipulation and Order of Settlement, which this Court so-ordered on March 27, 2018 (the "State Stipulation");

WHEREAS, Relator, together with CenterLight Healthcare, Inc. and CenterLight Health System, Inc., recently reached an agreement to resolve Relator's claims for expenses, costs, and attorneys' fees pursuant to 31 U.S.C. § 3730(d) and N.Y. State Fin. Law § 190(6)(a);

WHEREAS, pursuant to Paragraph 18 of the United States Stipulation and Paragraph 23 of the State Stipulation, the Plaintiffs agreed to file a Notice of Dismissal of the United States' Complaint-In-Intervention, the State of New York's Complaint-In-Intervention, and Relator's Complaint upon receipt of the payments set forth in Paragraph 3 of the United States Stipulation and Paragraphs 4 – 7 of the State Stipulation;

WHEREAS, the payments set forth in Paragraph 3 of the United States Stipulation and Paragraphs 4 - 7 of the State Stipulation have been received;

THEREFORE, IT IS HERBY STIPULATED AND AGREED:

1. Pursuant to Federal Rule of Civil Procedure 41(a)(1), as well as the terms and conditions of the United States Stipulation and the State Stipulation, Plaintiffs hereby dismiss:
 - a. the United States' Complaint-In-Intervention;

- b. the State of New York's Complaint-In-Intervention; and
 - c. Relator's Complaint.
2. As stated in Paragraph 18 of the United States Stipulation, as to the United States, the dismissal shall be with prejudice only as to claims related to the Covered Conduct that are being released pursuant to the United States Stipulation, and shall be without prejudice as to all other claims and conduct.
3. As stated in Paragraph 23 of the State Stipulation, as to the State of New York, the dismissal shall be with prejudice only as to claims released in Paragraph 8 of the State Stipulation, and shall be without prejudice to the claims reserved in Paragraph 9 of the State Stipulation and all other claims and conduct.
4. As to Relator, the dismissal shall be with prejudice as to all claims in Relator's Complaint.

Dated: October 29, 2018

FOR THE UNITED STATES OF AMERICA

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Dated: October 29, 2018

FOR THE STATE OF NEW YORK

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Dated: October 17, 2018

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SO ORDERED


LEWIS A. KAPLAN, USDJ

11/1/18